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OFFICE OF PETITIONS

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In re Application of :
Kepecs : DECISION ON PETITION
Application No. 09/558,945 :
Filed: April 26, 2000 :
Atty. Dkt. No.: 018477-000510US :

This is a decision on the petition under 37 CFR 1.137(b), filed August 29, 2006, to revive the above-identified application.

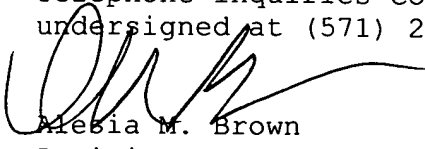
The petition is **DISMISSED AS MOOT**.

A final Office action was mailed in the above-identified application on December 6, 2005. A Notice of Appeal along with three month extension of time were timely filed June 6, 2006. An appeal brief was due on or before August 6, 2006. However, the period of time for submission of the appeal brief is extendible. Accordingly, the instant petition is moot as petitioner may file a petition for extension of time.

Petitioner may request a refund of the previously submitted petition for extension of time fee. The fee having been submitted by credit card, the undersigned is without authority to refund the fee or convert the fee to an extension of time fee. Petitioner is advised that the time period for extension continues to run from the file date of the Notice of Appeal, petitioner may request up to five months extension from the date the Notice of Appeal was filed. 37 CFR 1.136(a). In any event, petitioner may submit a request for refund by writing to the Finance Section, Refund Section. Any request for refund should include a copy of the instant decision.

This application is being forwarded to Technology Center 3600 for further processing and to await submission of the required extension of time. Absent timely submission of an extension of time, the application will become abandoned.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.


Alecia M. Brown
Petitions Attorney
Office of Petitions